

1-1 By: Schwertner , et al. S.B. No. 627
1-2 (In the Senate - Filed January 26, 2017; February 13, 2017,
1-3 read first time and referred to Committee on State Affairs;
1-4 April 5, 2017, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 5, 2017,
1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Huffman	X		
1-10	Hughes	X		
1-11	Birdwell	X		
1-12	Creighton	X		
1-13	Estes	X		
1-14	Lucio	X		
1-15	Nelson	X		
1-16	Schwertner	X		
1-17	Zaffirini	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 627 By: Schwertner

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to notice of a property owner's rights relating to the
1-22 examination or survey of property by an entity with eminent domain
1-23 authority.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 402.031(c), Government Code, is amended
1-26 to read as follows:

1-27 (c) The statement must include:

1-28 (1) the title, "Landowner's Bill of Rights"; and

1-29 (2) a description of:

1-30 (A) the condemnation procedure provided by
1-31 Chapter 21, Property Code;

1-32 (B) the condemning entity's obligations to the
1-33 property owner, including the responsibility for any actual damages
1-34 arising from an examination or survey of the property; ~~and~~

1-35 (C) the property owner's options during a
1-36 condemnation, including the property owner's right to:

1-37 (i) seek to negotiate the terms of the
1-38 examination or survey of the property by the condemning entity; and

1-39 (ii) object to and appeal an amount of
1-40 damages awarded; and

1-41 (D) the condemning entity's right to sue for a
1-42 court order authorizing the examination or survey if the property
1-43 owner refuses to consent to the examination or survey.

1-44 SECTION 2. Subchapter B, Chapter 21, Property Code, is
1-45 amended by adding Section 21.01101 to read as follows:

1-46 Sec. 21.01101. SURVEY CONSENT FORM. If an entity with
1-47 eminent domain authority provides a form to an owner of real
1-48 property requesting the owner's consent to enter the property to
1-49 examine the property or conduct a survey of the property in
1-50 connection with the potential acquisition of the property for a
1-51 public use, the form must conspicuously state that:

1-52 (1) the owner has a right to seek to negotiate the
1-53 terms of the examination or survey of the property;

1-54 (2) the entity may sue for a court order authorizing
1-55 the entity to enter the property and conduct the examination or
1-56 survey if the owner refuses to consent to the examination or survey;
1-57 and

1-58 (3) the entity has the responsibility for any actual
1-59 damages arising from an examination or survey of the property.

1-60 SECTION 3. The office of the attorney general shall make the

2-1 landowner's bill of rights statement required by Section [402.031](#),
2-2 Government Code, as amended by this Act, available on the attorney
2-3 general's Internet website not later than January 1, 2018.
2-4 SECTION 4. This Act takes effect January 1, 2018.

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